

REMARKS/ARGUMENTS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action, and for acknowledging that the drawings are acceptable. Applicant also wishes to thank the Examiner for acknowledging Applicant's claim for foreign priority, and that the certified copies of the priority documents have been received. Additionally, Applicant would like to thank the Examiner for considering the materials cited in the Information Disclosure Statements filed in the present application on March 14, 2005, November 28, 2005, March 17, 2006, and September 5, 2006, by the return of the signed copies of the Forms PTO-1449 attached to the Official Action.

In the Official Action, Claim 12 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by KLEMENTS et al. (U.S. Patent No. 7,451,229 B2).

Upon entry of the amendment, claims 1-11 and 13-15 were amended. Claim 12 has been cancelled. Thus, claims 1-11 and 13-15 are currently pending for consideration by the Examiner.

The Official Action rejected claim 12 under 35 U.S.C. § 101 as being directed to non-statutory subject matter, asserting that the claim was directed to a computer program *per se*. Claim 12 has been cancelled, thereby rendering the rejection of claim 12 under 35 U.S.C. § 101 moot.

Claims 1-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by KLEMENTS. With regard to independent claim 1, the Official Action asserts that KLEMENTS discloses all of the features recited in the claim. Contrary to this assertion, Applicant respectfully submits that KLEMENTS fails to disclose several features recited in claim 1.

For instance, claim 1 explicitly recites “a verification file confirm for reading an AV data file containing AV data including video information and audio information, *and a verification file for the AV data file, and confirming if the AV data file and verification file mutually correspond*” (emphasis added). The Official Action asserts that KLEMENTS’ column 6, lines 24-54, and column 7, lines 24-62, as disclosing these features. However, contrary to this assertion, Applicant submits that the cited sections of KLEMENTS fail to disclose the existence of a verification file. As a result, Applicant submits that the cited sections of KLEMENTS also fail to disclose a verification file confirm for that reads both an AV file and the verification file for the AV data file. Further, Applicant submits that the cited sections of KLEMENTS fail to disclose a verification file confirm that confirms that the AV data file and the verification file mutually correspond.

Independent claim 1 also recites “a conversion method determiner for selecting from among the plurality of stream converters at least one stream converter for changing the AV data to the specific format *based on verification file content*” (emphasis added). Applicant submits that KLEMENTS fails to disclose this feature of claim 1, as well. More specifically, Applicant submits that since KLEMENTS fails to disclose the existence of a verification file, KLEMENTS naturally fails to disclose a conversion method determiner selecting a stream converter based on the verification file.

For at least the reasons discussed above, Applicant submits that KLEMENTS fails to anticipate independent claim 1 since KLEMENTS fails to disclose each and every feature recited in claim 1. Since independent claims 5, 9, and 11 recite features similar to the features recited in independent claim 1, Applicant submits that KLEMENTS also fails to anticipate claims 5, 9, and 11 for reasons similar to the reasons discussed above for claim 1. Additionally, Applicant

submits that KLEMENTS fails to anticipate dependent claims 2-4, 6-8, 10, and 13-15 for at least the reasons discussed above regarding the independent claims. Accordingly, Applicant respectfully requests that the rejection of pending claims 1-11 and 13-15 under 35 U.S.C. § 102(e) as being anticipated by KLEMENTS be withdrawn.

SUMMARY

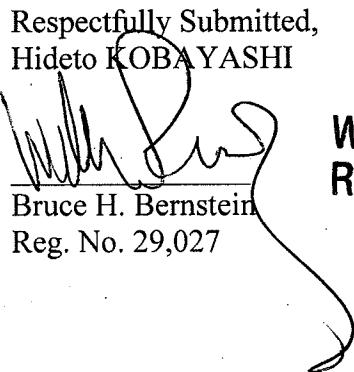
From the amendments, arguments, and remarks provided above, Applicant submits that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of allowance of claims 1-11 and 13-15 is now believed to be appropriate.

Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Hideto KOBAYASHI

Bruce H. Bernstein
Reg. No. 29,027


William Pieprz
Reg. No. 33630

June 19, 2009
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191